

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JULY 14, 2021, WITH THE FOLLOWING MEMBERS PRESENT: CLAIRE B. CORCORAN, PRESIDENT, DAVID L. PAINTER, VICE PRESIDENT AND, BONNIE J. BATCHLER, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 10:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW THAT THE JULY 14, 2021 REGULAR SESSION WAS VIDEO RECORDED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME. IN ADDITION, THE REGULAR SESSION IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT <https://www.youtube.com/user/clermontcounty/playlists>

IN RE: MINUTES OF REGULAR SESSION...APPROVED

Moved by Commissioner Painter, seconded by Commissioner Batchler,

To approve the minutes of Regular Session of **07/07/2021**.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

LET THE RECORD SHOW: Jeremy Evans, Clermont County Engineer, provided a PowerPoint Presentation regarding the 2020 Annual Report of roads, bridges and culverts in Clermont County pursuant to Section 5543.02 of the Ohio Revised Code.

Mr. Evans reported the 385.8 miles of roads in Clermont County have an average condition rating of 57 out of 100, with 100 being new pavement. The Ohio Department of Transportation recommends paving when a road is rated at 64 or less which leaves Clermont County with 61% of county road miles needing new pavement.

Mr. Evans reported that 421 bridges are maintained by the Clermont County Engineer's Office, 262 having a rating of good or better. The county has replaced 66 bridges in the last 10 years with each bridge having a 50 year functional life expectancy. Clermont County has 173 bridges that were built before 1970 and 36 load restriction bridges with a legal load limit of 40 tons.

Mr. Evans reported that Clermont County has 125 critical pipes out of the 2,889 culverts with an average condition rating of 7.5. Mr. Evans explained that culverts are classified as smaller structures where bridges are structures covering a span of 10 feet or more.

Mr. Evans reviewed capital improvement projects with road projects at \$2,998,356.00 and bridge projects at \$1,446,316.00. New equipment purchases were \$469,361.00 with a total investment of \$4,914,033.00. The Clermont County Engineer's Office was able to secure grants in the amount of \$2,081,313.00 to fund approximately 42% of capital improvement projects.

Mr. Evans provided an overview of the county maintenance program. The Engineer's Office is responsible for maintaining nearly 400 roadway miles, more than 400 bridges and over 2,800 culverts. A total of 52,540 hours were spent on berming, bridge and culvert maintenance, county road maintenance, ditching, guardrails, mowing, potholes, signs and pavement markings and snow and ice removal. Five snow events in 2020 required the use of 1,091 tons of salt.

Commissioner Painter asked how the Engineer's Office is addressing potholes. Mr. Evans explained that new equipment was purchased to dig out the potholes, making a smooth surface to

fill in which will make the repairs last longer.

Mr. Evans discussed a comprehensive road resurfacing program that addressed 17.6 roadway miles on 6 different county roads including Beechwood Road, Branch Hill-Guinea Road, Clough Pike, Lindale-Nicholsville Road, Loveland-Miamiville and Merwin-Tenmile Roads. Mr. Evans discussed other programs and their expenditures including the landslide program, bridge program and culvert program. The Engineer's Office addressed four landslides, repaired eight bridges and 55 culverts. Mr. Evans reviewed 2021 proposed capital improvements which included paving 46.7 roadway miles, repairing 16 bridges and addressing 8 landslides.

Mr. Evans reviewed the revenue sources that provided a total of \$14,395,919.00 for projects. Vehicle license fees provided \$8.08 million, fuel tax provided \$3.61 million, project reimbursements provided \$2.02 million and \$0.69 million came from miscellaneous sources such as inspection fees and sales of equipment. Mr. Evans explained that they do not receive any revenue from income, property or sales taxes. Total expenses for 2020 were \$12,396,351.00.

Commissioner Batchler asked about repair work on Hopper Hill, Nordyke Road and SR 125 stating that someone mentioned that area looked like it was slipping again. Mr. Evans explained those roads will be resurfaced and is an area that is being watched.

Commissioner Painter asked Mr. Evans to expand on an inquiry about State Route 133, State Route 276 and tar and chip. Mr. Evans explained those are state routes and that is something ODOT has put in place to extend the life of the asphalt until the road can be resurfaced which is a budget issue for both the County and State. Commissioner Painter asked Mr. Evans about infrastructure dollars, including what it would take to get Clermont County out of the dilemma when it comes to repaving roads. Mr. Evans stated that it would take about \$4 million. The price of asphalt showing a 300% increase over the past three years. Commissioner Painter asked Mr. Evans to take a serious look into that.

Commissioner Corcoran commented on the Stonelick public bridge with cameras not being active and the concern about weight limits. Mr. Evans explained that 2 years ago a tree limb fell causing damage to the roof and cameras. They have been able to get one camera back online, but part of the problem is enforcement with not being able to tell how much weight a vehicle is carrying just by video. Commissioner Corcoran stated that she is happy to know one camera is back on and hopefully it deters people from crossing the bridge with too much weight

The Board thanked Mr. Evans for the information. (21-0104-005)

LET THE RECORD SHOW: COMMISSIONER CORCORAN STATED THAT THE BOARD HAD REACHED THE PUBLIC PARTICIPATION SECTION OF THE AGENDA. SHE INQUIRED IF THERE WAS ANYONE IN THE AUDIENCE THAT WOULD LIKE TO ADDRESS THE BOARD.

LET THE RECORD SHOW: Glen Rudolph, 4582 English Creek Dr., Cincinnati, Ohio 45245 requested to address the Board of County Commissioners in Regular Session this date. Mr. Rudolph stated that he mostly wanted to address the American Rescue Plan funds and shared some background information with the Board. Mr. Rudolph explained that the voters did their part by voting for the Children's Services Levy, Mental Health Levy, Senior Services Levy and school Levy's. Mr. Rudolph stated the Auditor's Office re-evaluated property values in 2020 which resulted in a significant increase with higher taxes to residents. Mr. Rudolph proposed the American Rescue Plan funds in the amount of \$40 million belongs to the people and should be credited back to residential property owners. Mr. Rudolph further stated the current Presidential Administration attempted to impose a tax mandate regarding the use of those funds, but it was ruled unconstitutional.

Commissioner Painter interjected, stating Mr. Rudolph had reached his 5 minute time limit and asked if the Board if they would like to allow him to Continue. The Board granted an additional 5 minutes.

Mr. Rudolph stated that Clermont County is conservative and our Boards are conservative explaining that the Republican Party principals are low taxes, limited government and keeping government close to the people. Mr. Rudolph stated that if we keep the funds and spend them at a government level, tax payers will have to pay twice because the money has to be paid back somewhere and is not free money.

The Board informed Mr. Rudolph he had reached 10 minutes and thanked him for coming in. Mr. Rudolph provided a handout to the Clerk of the Board.

CONSENT AGENDA

LET THE RECORD SHOW: COMMISSIONER CORCORAN STATED THAT A CONSENT AGENDA HAS BEEN PREPARED FOR THE BOARD OF COUNTY COMMISSIONERS AND REQUESTED WHETHER ANY BOARD MEMBER WANTED ANY ITEMS REMOVED FOR FURTHER DISCUSSION AND CONSIDERATION AND UPON HEARING NONE:

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendations:

- 1. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES/CHILDREN'S PROTECTIVE SERVICES DIVISION...GRANT AGREEMENT WITH THE DAVE THOMAS FOUNDATION FOR ADOPTION RELATIVE TO THE COUNTY'S PARTICIPATION IN THE WENDY'S WONDERFUL KIDS PROGRAM FOR THE PROVISION OF FUNDING FOR AN ADOPTION RECRUITER TO MOVE CHILDREN FROM FOSTER CARE INTO PERMANENT ADOPTIVE HOMES FOR SAME...21-0630-004...EXECUTED**

Recommendation of Timothy Dick, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to authorize Claire B. Corcoran, President of the Board of County Commissioners, to execute the *Dave Thomas Foundation for Adoption Grant Agreement*, by and between the County of Clermont, Ohio, and the *Dave Thomas Foundation for Adoption*, 716 Mt. Airyshire Blvd., Suite 100, Columbus, Ohio 43235, including all understandings and assurances relative thereto, *for the County's participation in the Wendy's Wonderful Kids Program*, for the provision of funding for a child-focused adoption professional to move children from foster care into permanent adoptive homes, work with youth who are heading towards termination of parental rights (TPR) and/or youth who are in a planned permanent living arrangement (fka long-term foster care), in the amount of \$75,000.00, with no local match required therefore, effective for the period 07/01/2021 through 06/30/2022, pursuant to and in compliance with the terms and conditions set forth therein and in concert with the Grant Application ratified by the Board of County Commissioners on 05/05/2021.

- 2. IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...SUBGRANT AGREEMENT WITH CHOICES, INC. FOR THE PROVISION OF ADOPTION TRAINING LIAISON COORDINATION SERVICES AT THE SOUTHWEST OHIO REGIONAL TRAINING CENTER FOR SAME...21-0630-005...EXECUTED**

Recommendation of Timothy Dick, Director, Department of Job and Family Services, with the concurrence of Thomas J. Eigel, County Administrator, to execute the *Subgrant Agreement* by and between the Board of Clermont County Commissioners, on behalf of the Clermont County Department of Job and Family Services, and *CHOICES, Inc. for the provision of Adoption Training Liaison Coordination Services at the Southwest Ohio Regional Training Center (SWORTC)*, in accordance with the Program Description attached thereto and incorporated therein as Appendix A, for a total amount not to exceed \$28,052.00, effective for the period of 07/01/2021 through 06/30/2022, pursuant to and in compliance with the terms and conditions set forth therein,

and contingent upon the release of the required purchase order in concert with Requisition Number 00003262-00 dated 06/24/2021 relative thereto.

**3. IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN
PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR
REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE
THERE TO...20-1215-006...APPROVED**

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2021 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
County Sheriff Sheriff Robert S. Leahy and/or Staff DC# 20-1215-006 (revised/previously approved 01/06/2021)	Ohio School Resource Officers Association	\$220.00	01/01/2021 through 12/31/2021

**4. IN RE: INFORMATION SYSTEMS DEPARTMENT...ELECTRONIC
SUBSCRIPTION RENEWAL FOR SOFTWARE AND HARDWARE
UPDATES AND SUPPORT FOR SAME ...21-0524-002...APPROVED**

Recommendation of Chris Davis, ISD Director, with the concurrence of Greg Bickford, Assistant County Administrator, to approve an electronic subscription renewal for the provision of software and hardware updates and support at the estimated not to exceed rates and terms outlined below and as set forth in the electronic subscription renewal, all of which are on file in the Information Systems Department and to authorize the County Auditor to remit payment therefore:

Vendor	Software/Hardware	Not to Exceed Estimated Rate	Term
Information Systems Department			
Anydesk Software GmbH Türlenstraße 2 70191 Stuttgart, Germany	AnyDesk Professional (1 license) FlexPlan Additional concurrent session (2 licenses) (Remote Assistance/Troubleshooting)	\$600.00	08/21/2021 through 08/21/2022

**5. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... CHANGE
ORDER NUMBER 1 TO THE CONTRACT WITH FORD DEVELOPMENT
CORPORATION FOR PROJECT NUMBER 6401-60165 RELATIVE TO
THE MIAMIVILLE AREA WATER MAIN REPLACEMENT PROJECT
LOCATED WITHIN MIAMI TOWNSHIP...18-1127-003...EXECUTED**

Recommendation of Chris Rowland, P.E., Assistant Sanitary Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to authorize Claire B. Corcoran, President of the Board of County Commissioners, or in her absence, any other member of the Board of County Commissioners, to execute **Change Order Number 1** to the **Contract** with **Ford Development Corporation**, 11148 Woodward Lane, Cincinnati, Ohio 45241, previously ratified by the Board of County Commissioners on 09/02/2020, for Project Number 6401-60165 relative to the **Miamiville Area Water Main Replacement Project** located within Miami Township, which represents an decrease in the amount of \$6,822.22, for a total adjusted contract price to date of \$682,209.78, as well as, a reduction of time of 32 calendar days for the completion thereof, for a revised contract completion date of 02/02/2021, for additions,

deletions and/or modifications thereto as defined therein

**6. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH DUGAN &
MEYERS, LLC FOR PROJECT NUMBER 6402-60142 RELATIVE TO THE
O'BANNON WASTEWATER TREATMENT PLANT FILTER &
CLARIFIER IMPROVEMENTS PROJECT LOCATED WITHIN GOSHEN
TOWNSHIP...18-0921-006...EXECUTED**

Recommendation of Chris Rowland, P.E., Assistant Sanitary Engineer, with the concurrence of Lyle G. Bloom, P.E., Director of Utilities, Clermont County Water Resources Department, to authorize Claire B. Corcoran, President of the Board of County Commissioners, or in her absence, any other member of the Board of County Commissioners, to execute *Change Order Number 1* to the *Contract* with *Dugan & Meyers, LLC*, 11110 Kenwood Road, Cincinnati, Ohio 45242, previously ratified by the Board of County Commissioners on 02/02/2019, for Project Number 6402-60142 relative to the *O'Bannon Wastewater Treatment Plant Filter & Clarifier Improvements Project* located within Goshen Township, which represents an decrease in the amount of \$207,223.14, for a total adjusted contract price to date of \$4,408,776.86, as well as, an extension of time of 317 calendar days for the completion thereof, for a revised contract completion date of 01/20/2021, for additions, deletions and/or modifications thereto as defined therein.

**7. IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF
EXPENSES RELATIVE TO SAME...APPROVED**

Recommendation of Thomas J. Eigel, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board of County Commissioners and in compliance with the Annual Appropriations for Calendar Year 2021 and any and all amendments subsequent thereto:

CLERMONT COUNTY MUNICIPAL COURT

Kevin Miles – (3) days – Columbus, Ohio – Ohio Judicial Conference – 2021 Annual Meeting – total expenses for lodging (\$500.00), meals (\$183.00), mileage (\$135.00), registration (\$350.00) and other/parking (\$50.00), estimated not to exceed \$1,218.00.

CLERMONT COUNTY JUVENILE COURT

James Shriver – (4) days – Columbus, Ohio – Ohio Judicial Conference – 2021 Annual Meeting – total expenses for lodging (\$564.00), meals (\$244.00) and registration (\$350.00), estimated not to exceed \$1,158.00.

CLERMONT TRANSPORTATION CONNECTION

Anthony Range – (1) day – Piketon, Ohio – Pike County Joint Vocational – CDL Test – estimated not to exceed \$0.00.

FLEET MAINTENANCE

Michael Prince – (1) day – Piketon, Ohio – Pike County Joint Vocational – CDL Test – estimated not to exceed \$0.00.

8. IN RE: PERSONNEL ACTIONS...APPROVED

Recommendation of Thomas J. Eigel, County Administrator, to approve the following personnel actions:

- * THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

9. IN RE: **BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE FINANCIAL/BUDGETARY ACTIONS FOR CALENDAR YEAR 2021...APPROVED**

Recommendation of Mary K. Rains, Director, Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation (**Resolution Number 191-20**) for Calendar Year 2021, including legal level of control, and/or interfund transactions pursuant to Sections 5705.13 through 5705.14 of the Ohio Revised Code as outlined in the following table(s) and to authorize Linda L. Fraley, County Auditor, to properly record same:

BUDGET TRANSFER OF FUNDS FOR CALENDAR YEAR 2021

FUND	FROM: ORGANIZATION - OBJECT - ACCOUNT	TO: ORGANIZATION - OBJECT - ACCOUNT	AMOUNT
GENERAL FUND	Adult Detention Corrections FRINGE BENEFITS 1000 - 04 - 19 - 432504 - 520000 -	Sheriff Road Patrol OTHER EXPENSES 1000 - 04 - 19 - 438000 - 530000 -	\$ 10,000.00
DOG & KENNEL	Animal Control FRINGE BENEFITS 2001 - 05 - 01 - 042000 - 520000 -	Animal Control OVERTIME 2001 - 05 - 01 - 042000 - 512100 -	\$ 10,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

NON-CONSENT AGENDA

10. IN RE: **BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 121-21/PAYMENT OF BILLS...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt **Resolution Number 121-21** resolving to approve payment to vendors **in the total amount of \$1,397,677.73** as set forth in the BCC Approval Invoice Report for Checks dated **July 14, 2021**, BCC Directed Pre-Paid Invoices Report(s) and/or the Procurement Card Transaction Report as presented by the County Auditor on **07/12/2021**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

11. IN RE: **COUNTY ENGINEER...DERBY PLACE SUBDIVISION/SECTION 3/BLOCK B, AND SECTION 4/BLOCK B/BATAVIA TOWNSHIP ... RECORD PLAT NUMBERS 629-3290 THROUGH 629-3291 AND PERFORMANCE AND MAINTENANCE BONDS, AS WELL AS, PERFORMANCE BONDS FOR SIDEWALKS AS SURETY FOR SAME...EXECUTED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County

Commissioners approve the following recommendation:

Recommendation of Jeremy P. Evans, County Engineer, with the concurrence of Thomas J. Eigel, County Administrator, to execute **Record Plat Numbers 629-3290 through 629-3291** for the following subdivision located in Batavia Township and further, to execute the Performance and Maintenance Bonds, as well as, the Performance Bonds for Sidewalks as Surety for same relative to the construction of the below listed streets:

Subdivision	Performance-Maintenance	Sidewalk	Street/Length (miles)
Derby Place Subdivision Section 3 Block B Batavia Township Record Plat Number 629-3290 DC# 21-0625-007	\$25,000.00/\$10,000.00	\$28,680.00	Roses Run (0.080)
Derby Place Subdivision Section 4 Block B Batavia Township Record Plat Number 629-3291 DC# 21-0625-008	\$25,000.00/\$10,000.00	\$28,680.00	Roses Run (0.047)

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

**12. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RECOMMENDATION NOT TO PROCEED WITH THE WARDS CORNER
ROAD SEWER PETITION PROJECT LOCATED WITHIN MIAMI
TOWNSHIP...21-0625-004...APPROVED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tom Leibham, Project Manager, with the concurrence of Chris Rowland, P.E., Assistant Sanitary Engineer, Clermont County Water Resources Department, **not to proceed with the Wards Corner Road Sewer Petition Project located within Miami Township** due to the lack of support from property owners for said Project and to authorize the Clermont County Water Resources Department to send notice to the owners of property affected by said Project advising them that the Project is no longer active and declaring that all proceedings with respect to same are hereby discontinued.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**13. IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
MAINTENANCE BONDS AS SURETY FOR THE INSTALLATION OF
WATER AND SANITARY SEWER MAIN EXTENSIONS FOR
SAME...EXECUTED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Heath Wilson P.E., Engineer, with the concurrence of Lyle G. Bloom, P.E, Director of Utilities, Clermont County Water Resources Department, to execute Maintenance Bonds in the amounts outlined below as surety for the installation of Water and Sanitary Sewer Main Extension to serve the following subdivisions:

Subdivision	Township	Water Bond	Sewer Bond
Prestwick Place Section 2 Block A DC# 21-0628-002	Pierce	\$1,400.00	
Prestwick Place Section 3 Block C DC# 21-0628-003	Pierce	\$2,500.00	\$3,200.00
Derby Place Section 3 Block A DC# 21-0628-004	Batavia	\$1,300.00	\$3,800.00
Debry Place Section 3 Block B DC# 21-0628-005	Batavia	\$1,200.00	\$1,500.00
Derby Place Section 4 Block A DC# 21-0628-006	Batavia	\$1,200.00	
Derby Place Section 4 Block B DC# 21-0628-007	Batavia	\$1,100.00	\$1,800.00

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

**14. IN RE: DEPARTMENT OF COMMUNITY AND ECONOMIC
DEVELOPMENT...GRANT AGREEMENT AMENDMENT WITH THE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR
THE PROVISION OF FUNDING RELATIVE TO THE COMMUNITY
DEVELOPMENT BLOCK GRANT CARES ACT (CDBG-CV) PROGRAM
FOR THE COUNTY OF CLERMONT, OHIO, FOR FISCAL YEAR
2020...20-0908-008...EXECUTED**

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Michael McNamara, Director, Department of Community and Economic Development, with the concurrence of Greg Bickford, Assistant County Administrator, to authorize Claire B. Corcoran, President of the Board of County Commissioners, to execute the Grant Agreement by and between the County of Clermont, Ohio, and the U.S. Department of Housing and Urban Development, Columbus Field Office, Office of Community Planning and Development, 200 North High Street, Columbus, Ohio 43215-2499, including all relevant understandings and assurances, for the provision of funding for Grant Number B-20-UW-39-0010 relative to the Fiscal Year 2020 U.S. Department of Housing and Urban Development Community Development Block Grant Cares Act (CDBG-CV) Program for the County of Clermont, Ohio, in the revised amount of \$1,360,070.00, for the grant period beginning 07/01/2020-09/01/2027, pursuant to and in compliance with the terms and conditions set forth therein, and in concert with the Application for Federal Assistance ratified by the Board of County Commissioners on 06/17/2020 and awarded on 02/10/2021.

DISCUSSION: Commissioner Painter asked to clarify that this Block Grant is for the third portion of funding. Mr. McNamara stated this is CV3 with an allotment of \$787,047.00 in conjunction with the \$573,023.00 received which is how the amount of \$1,360,070.00 was determined.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

LET THE RECORD SHOW: Michael McNamara introduced Desmond Maaytah as Clermont County’s new Community Development Administrator. Mr. Maaytah is an Auburn graduate with approximately 20 years of Community Development experience. Mr. Maaytah will be accepting an award later this month at the Ohio Conference of Community Development as the Community

Development Professional of the Year.

LET THE RECORD SHOW: Mr. Maaytah thanked the Board for the honor of working for Clermont County and shared that he has already started talking with some non-profit organizations. Mr. Maaytah stated he is looking forward to working the board on this grant and other grants and he is proud to be here.

15. IN RE: BOARD OF COUNTY COMMISSIONERS...DISPOSITION OF THE ADOPTION OF AN ALTERNATIVE METHOD OF APPORTIONMENT OF THE UNDIVIDED LOCAL GOVERNMENT FUND FOR CALENDAR YEAR 2022...21-0706-003...APPROVED

Thomas J. Eigel, County Administrator, reported that 14 townships and one municipality had passed Resolutions that included the phase three allocation formula, which excluded the approval of the City of Milford. Mr. Eigel will prepare a Resolution to include the phase three formula for the Board’s consideration at the July 21, 2021 meeting.

16. IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO APPROVE CHANGES TO THE ANNUAL APPROPRIATION RESOLUTION FOR CALENDAR YEAR 2021...APPROVED

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Mary K. Rains, Director, Office of Management and Budget, with the concurrence of Thomas J. Eigel, County Administrator, to resolve to approve and authorize changes in the Annual Appropriation Resolution Number 191-20 for Calendar Year 2021 pursuant to Ohio Revised Code Section 5705.40 as outlined in the following table and to authorize Linda L. Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR CALENDAR YEAR 2021

<u>FUND</u>	<u>ORGANIZATION - OBJECT - ACCOUNT</u>	<u>AMOUNT</u>
GENERAL FUND	Sheriff Administration	\$ 38,077.00
	REGULAR SALARY	
	1000 - 04 - 19 - 431000 - 511200 -	
GENERAL FUND	Sheriff Administration	\$ 12,010.00
	FRINGE BENEFITS	
	1000 - 04 - 19 - 431000 - 520000 -	
NARCOTICS UNIT DRUG LAW ENFORC	Narcotics Unit Drug Law Enf	\$ 960.79
	OTHER EXPENSES	
	2505 - 04 - 19 - 446000 - 530000 -	

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF (3) THREE AGENDA ITEMS TO THE REGULAR SESSION OF 07/14/2021...21-0104-004...APPROVED

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Thomas J. Eigel, County Administrator, asked the Board to consider adding (3) three additional

items to the agenda of the Regular Session of 07/14/2021 to include (1) Employment of outside legal counsel to represent Clermont County Treasurer Jeannie M. Zurmehly as it relates to all litigation filed by Christopher Hicks in the United States District Court, Southern District of Ohio and captioned Christopher Hicks vs. D. Vincent Faris, Clermont County Prosecuting Attorney, et al., Case No. 1:20-cv-00680; (2) Execution of a settlement agreement and release of all claims with Daniel K. and Lori M. Jones; and (3) to adopt a revised table of organization for the Department of Public Safety Services. Commissioner Corcoran asked for a motion to approve the additions to the agenda for today’s Regular Session.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

**IN RE: BOARD OF COUNTY COMMISSIONERS...EMPLOYMENT OF
OUTSIDE LEGAL COUNSEL TO REPRESENT CLERMONT COUNTY
TREASURER JEANNIE M. ZURMEHLY AS IT RELATES TO THE
LITIGATION FILED IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF OHIO AND CAPTIONED
CHRISTOPHER HICKS VS. D. VINCENT FARIS, CLERMONT COUNTY
PROSECUTING ATTORNEY, ET AL., CASE NO. 1:20-CV-00680
PURSUANT TO SECTION 305.14 OF THE OHIO REVISED CODE AND IN
COMPLIANCE WITH THE DECISION/ENTRY IN CASE NO. 2021 MISC
00030 ORDERED BY JUDGE JERRY R. MCBRIDE ON 07/08/2021 AND
FILED WITH BARBARA A. WIEDENBEIN, CLERK OF THE COMMON
PLEAS, ON 07/08/2021 RELATIVE THERETO...21-0630-
003...APPROVED**

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Thomas J. Eigel, County Administrator, that the Board of County Commissioners resolve to employ outside legal counsel to represent Clermont County Treasurer Jeannie M. Zurmehly as it relates to all litigation filed by Christopher Hicks in the United States District Court, Southern District of Ohio and captioned Christopher Hicks vs. D. Vincent Faris, Clermont County Prosecuting Attorney, et al., Case No. 1:20-cv-00680 all of which is in concert with the *Joint Application to Employ Outside Legal Counsel* with Mark J. Tekulve, Clermont County Prosecutor, pursuant to Section 305.14 of the Ohio Revised Code, heretofore ratified by the Board of County Commissioners on 07/07/2021, and filed with the Clerk of the Common Pleas Court on 07/08/2021, and in compliance with the *Decision/Entry in Case No. 2021 MISC 00030 ordered by Judge Jerry R. McBride on 07/08/2021 and filed with Barbara A. Wiedenbein, Clerk of the Common Pleas, on 07/08/2021, in and as it relates thereto and as follows accordingly:*

Law Firm	Legal Matters	Compensation
Christopher J. Pagan, Esq. Repper-Pagan Law, LTD 1501 First Avenue Middletown, Ohio 45044	To represent Jeannie M. Zurmehly, Clermont County Treasurer in and as it relates to the litigation filed in the United States District Court, Southern District of Ohio and captioned Christopher Hicks vs. D. Vincent Faris, Clermont County Prosecuting Attorney, et al., Case No. 1:20-cv-00680	Compensation will be at the rate of \$250.00 per hour with a total amount not to exceed \$10,000.00.

DISCUSSION: Commissioner Painter asked for clarification if this case is a suit filed against former Prosecutor, D. Vincent Faris by a current Elected Official, Christopher Hicks, who is a member of the Republican Central Committee. Commissioner Painter also asked for clarification that Clermont County is having to commit to an expenditure of \$10,000.00 for representation of an Elected Official. Mr. Eigel confirmed that both were correct.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS... EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS WITH DANIEL K. AND LORI M. JONES...21-0621-001...EXECUTED

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle Bloom, Director of the Clermont County Water Resources Department with the concurrence of Greg Bickford, Assistant County Administrator, to authorize Claire B. Corcoran, President of the Board of County Commissioners, or in her absence, any other member of the Board of County Commissioners, to execute the Settlement Agreement and Release of Claims among the Board of County Commissioners of Clermont County, Ohio, and Daniel K. and Lori M. Jones.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS..... ADOPTION OF A REVISED TABLE OF ORGANIZATION FOR THE DEPARTMENT OF PUBLIC SAFETY SERVICES...21-0713-001...ADOPTED

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of John Kiskaden, Director, Department of Public Safety Services, with the concurrence of Greg Bickford, Assistant County Administrator, to adopt a revised Table of Organization for the Department of Public Safety Services, reclassifying one (1) DPSS Project Manager, Class Number 79535, Pay Range A to DPSS Program Administrator, Class Number 89180 at Pay Range D as outlined in Exhibit A, attached thereto and made a part thereof, effective upon approval; and, further to authorize the update of the appropriate internet links and appendices accordingly.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER PAINTER, SECONDED BY COMMISSIONER BATCHLER TO TAKE A BRIEF RECESS AT 10:51 A.M. UNTIL 11:00 P.M.

LET THE RECORD SHOW: THE BOARD OF COUNTY COMMISSIONERS RETURNED FROM RECESS AT 11:00 P.M. AND RESUMED SESSION.

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS SCHEDULED AT 11:00 A.M. THIS DATE AND CALLED TO ORDER AT 11:01 A.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960, TO AFFORD PUBLIC COMMENT ON THE REQUEST TO VACATE A PORTION OF BROADWAY STREET SITUATED IN GOSHEN TOWNSHIP PURSUANT TO SECTION 5553.04 OF THE OHIO REVISED CODE AS REQUESTED BY THE GOSHEN

TOWNSHIP BOARD OF TRUSTEES. (21-0609-001)

THIS PUBLIC HEARING WAS VIDEO RECORDED AND IS AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. IN ADDITION, THE PUBLIC HEARING IS AVAILABLE FOR PUBLIC VIEWING THROUGH THE COUNTY GOVERNMENT WEBSITE AT: <http://www.clermontcountyohio.gov/videos.aspx>

LET THE RECORD SHOW: CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, PROVIDED AN OVERVIEW OF THE PROPERTY WHICH IS APPROXIMATELY 0.088 MILES AND A DEDICATED RIGHT OF WAY. IF THE BOARD APPROVES THE ROAD VACATION, THERE WILL BE NO REDUCTION IN THE MILEAGE CERTIFICATION AND WILL NOT CREATE ANY LANDLOCKED PARCELS. A SURVEY AND DESCRIPTION WAS PROVIDED BY LUTZ'S SURVEYING SERVICES. IF THE BOARD APPROVES THE REQUESTED VACATION, A MYLAR COPY OF THE VACATION PLAT WILL BE REQUIRED TO BE FILED IN THE TAX MAP OFFICE. IF THE BOARD APPROVES THE REQUESTED VACATION, GOSHEN TOWNSHIP WILL BE REQUIRED TO PASS A SECOND RESOLUTION TO BE SUBMITTED.

JASON FOUNTAIN, ASSISTANT PROSECUTOR, CLERMONT COUNTY PROSECUTING ATTORNEY'S OFFICE, WAS PRESENT TO SWEAR IN ANY INDIVIDUAL WHO WOULD LIKE TO TESTIFY IN REGARDS TO THE PROPOSED ROAD VACATION.

HARRY HOLBERT, GOSHEN TOWNSHIP PLANNING AND ZONING DIRECTOR, APPEARED BEFORE THE BOARD IN FAVOR OF THE PROPOSED ROAD VACATION. MR. HOLBERT EXPLAINED THAT ONE OF THE ADJOINING LANDOWNERS ASKED TO CLEAN UP THE PROPERTY AND HOPED TO OBTAIN A PORTION OF THE PARCEL ALONG WITH THEIR PROPERTY. COMMISSIONER PAINTER ASKED IF THE PROPERTY WOULD GO TO TWO LAND OWNERS IF IT IS VACATED AND MR. HOLBERT EXPLAINED THAT AS IT IS PLATTED, THERE ARE THREE SEPARATE LAND OWNERS. CHARLIE THOMAS IS THE LANDOWNER WHO FACILITATED THIS ROAD VACATION AND THERE HAS BEEN NO OTHER CORRESPONDENCE WITH THE OTHER TWO LANDOWNERS. THE INTENT OF CHARLIE THOMAS IT TO ASK THE OTHER LANDOWNERS TO SELL HIM THEIR PORTION OF THE VACATED ROAD. COMMISSIONER CORCORAN RAISED THE QUESTION WHETHER THE OTHER PROPERTY OWNERS ARE AWARE OF THIS AND MR. HOLBERT MENTIONED THE LETTERS SENT OUT BY THE BOARD. HOLLY CRUEY, CLERK OF THE BOARD, CONFIRMED THAT NOTIFICATION OF THE PUBLIC HEARING, A COPY OF THE RESOLUTION AS WELL AS INFORMATION ON HOW THEY CAN PARTICIPATE WAS SENT OUT TO EDWARD AND LORI HAERR, CHARLIE THOMAS III, DANIEL AND SARAH YOUNG.

CHARLIE THOMAS APPEARED BEFORE THE BOARD ON BEHALF OF HIS SON CHARLES THOMAS III IN FAVOR OF THE PROPOSED ROAD VACATION. MR. THOMAS EXPLAINED THAT HIS SON OWNS EIGHT OR NINE PARCELS THAT BACK UP TO THE PROPERTY AND WOULD LIKE TO GET THE AREA CLEANED UP DUE TO IT BEING SUCH AN EYESORE.

NO ONE APPEARED IN OPPOSITION TO THE PROPOSED ROAD VACATION.

IT WAS NOTED THAT NO OTHER CORRESPONDENCE WAS RECEIVED WITH REGARD TO THE PROPOSED ROAD VACATION.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 11:11 A.M. LOCAL TIME.

**IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF ONE
AGENDA ITEM TO THE REGULAR SESSION OF 07/14/2021... 21-**

0104-004...APPROVED

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Holly Cruey, Clerk of the Board, asked the Board to consider adding one additional item to the agenda of the Regular Session of 07/14/2021 to include a Resolution to vacate a portion of Broadway Street in Goshen Township. Commissioner Corcoran asked for a motion to approve the addition of the agenda items to today's Regular Session.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 122-21/RESOLUTION DETERMINING TO VACATE BROADWAY STREET SITUATED IN GOSHEN TOWNSHIP...21-0609-001...ADOPTED

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt **Resolution Number 122-21** determining to vacate Broadway Street situated in Goshen Township, Clermont County, Ohio, as described therein, pursuant to and in compliance with Section 5553.045 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

LET THE RECORD SHOW: A MOTION BY COMMISSIONER PAINTER AND SECONDED BY COMMISSIONER BATCHLER, TO GO INTO EXECUTIVE SESSION AT 11:13 A.M. PURSUANT TO SECTION 121.22 (G) (1) OF THE OHIO REVISED CODE TO CONSIDER THE DISMISSAL, DISCIPLINE OR COMPENSATION OF A PUBLIC EMPLOYEE OR MORE PUBLIC EMPLOYEES.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

LET THE RECORD SHOW: THE BOARD OF COUNTY COMMISSIONERS RETURNED FROM EXECUTIVE SESSION AND RESUMED REGULAR SESSION AT 12:10 P.M. WITH NO ACTION TAKEN AND NO DECISIONS MADE.

IN RE: BOARD OF COUNTY COMMISSIONERS...ADDITION OF (2) TWO AGENDA ITEMS TO THE REGULAR SESSION OF 07/14/2021...21-0104-004...APPROVED

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Thomas J. Eigel, County Administrator, asked the Board to consider adding (2) two additional items to the agenda of the Regular Session of 07/14/2021 to include Personnel Actions in the Department of Job and Family Services and in the Department of Public Safety Services. Commissioner Corcoran asked for a motion to approve the additions to the agenda for today's Regular Session.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

IN RE: PERSONNEL ACTIONS...APPROVED

Moved by Commissioner Batchler, seconded by Commissioner Painter, that the Board of County Commissioners approve the following recommendation:

Recommendation of Thomas J. Eigel, County Administrator, to approve the following personnel actions:

DEPARTMENT OF PUBLIC SAFETY SERVICES				Effective
CHRISTINA HAFNER	Emp# 12797	EMER RESOURCE TECH	TERMINATION PROBATIONARY REMOVAL	07/14/2021

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

IN RE: PERSONNEL ACTIONS...APPROVED

Moved by Commissioner Painter, seconded by Commissioner Batchler, that the Board of County Commissioners approve the following recommendation:

Recommendation of Thomas J. Eigel, County Administrator, to approve the following personnel actions:

WATER RESOURCES DEPARTMENT				Effective
JESSICA FITZGERALD	Emp# 11335	CLERICAL SPECIALIST	ADMIN LEAVE DISCIPLINARY W/OUT PAY	07/14/2021

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Painter, Yes; Commissioner Batchler, Yes; Commissioner Corcoran, Yes.

LET THE RECORD SHOW: COMMISSIONER CORCORAN STATED THAT THE BOARD HAD REACHED THE COUNTY STAFF/ELECTED OFFICIAL DISCUSSION SECTION OF THE AGENDA. SHE INQUIRED IF THERE WAS ANYONE THAT WOULD LIKE TO ADDRESS THE BOARD. NO ONE REQUESTED TO ADDRESS THE BOARD.

LET THE RECORD SHOW: COMMISSIONER CORCORAN OPENED THE MEETING FOR BOARD MEMBER COMMENTS.

Commissioner Painter shared that he attended the NACO conference in Washington DC and all of the discussions are on YouTube for everyone to watch at home. Commissioner Painter stated a lot of the discussion was about the American Recovery Plan and what the Treasury is considering for the guidelines. Commissioner Painter mentioned the different speakers being the Secretary of Treasury, the Vice President of the United States and the Speaker of the House. Commissioner Painter also discussed a citizen who called him about selling his homestead and wanting to make it into two plots. Commissioner Painter talked to the planning department about how the replot is going and the system they are using does not have the ability to intake plans and review that replotting by electronic access, making it a cumbersome process. Commissioner Painter asked Mr. Bickford and Mr. Eigel to look into what needs to be done in order to bring the system up to a better level.

Commissioner Corcoran asked Mr. Eigel and Mr. Bickford to look into the 911 fees for a discussion next week and also to address one township with delinquency in paying the 911 fees.

IN RE: ADJOURNMENT...APPROVED

Moved by Commissioner Batchler, seconded by Commissioner Painter,

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 12:17 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Commissioner Batchler, Yes; Commissioner Painter, Yes; Commissioner Corcoran, Yes.

CLAIRE B. CORCORAN, PRESIDENT

DAVID L. PAINTER, VICE PRESIDENT

BONNIE J. BATCHLER, MEMBER

HOLLY CRUEY, CLERK OF THE BOARD

07/21/2021
DATE APPROVED